UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA, Plaintiff,

vs. No. 1:19-cr-10040-JTF-1

JEFFREY YOUNG, Defendant.

REPLY

Comes now, Defendant by and through his counsel and Replies thus:

Counsel has reviewed the Government's Response (D.E. 337) and feels his position was well articulated in the Motion to Dismiss with incorporated memorandum of law (D.E. 333), especially in light of the arguments relating to the more recent Supreme Court precedence in *Gonzales v Oregon*, 546 U.S. 243 (2006) (which seems to overrule or abrogate *United States v Moore*, 423 U.S. 122 (1975) and the looming fall of the *Chevron/Auer* Deference. While Defendant disagrees with this Court's oral denial of his Motion to Dismiss from the bench at the sentencing hearing, Defendant respects the decision and preserves the issues raised in that motion for appeal.

Without waiving this or any other issue, Counsel would ask the Court to enter the judgment and Defendant will timely file his appeal.

The

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/ s/Claiborne H. Ferguson CLAIBORNE H. FERGUSON BPR 20457)

CERTIFICATE OF SERVICE

	4th day of April 2024, I served a true and correct copy listed below by the following method(s) of service:
Depositing it in the U.S. mail Hand delivery; Facsimile transmission X Electronic Transmission - PA	l, first class postage prepaid and properly addressed;

/ s/ Claiborne H. Ferguson